

Resume in English

International trade in military materials from the perspective of Czech law

The goal of this thesis is, mainly, to introduce laws and legal mechanisms governing this part of international trade with focus on export from Czech republic, mainly outside European Union.

Thesis consists from 3 major logical parts divided to 8 chapters, that goes from theory of laws of private international law, thru description of current legislation, both Czech and European, to public procurement according to European directives and latest cases of European Court of Justice.

First major part deals, apart from theory of international private law, with description of defence equipment excluded from trade, also describes defence equipment as it is defined by current Czech legislation, and briefly shows history of Czech law of international trade with defence equipment.

Under the definition of defence equipment is also brief notice about possibility that some firearms can be in one moment seen as defence, or military, equipment, and in the second moment as a firearms intended for civilian use.

First major part ends with short proposal of solution to problems of export companies that comes from European countries without access to sea.

Second major part describes process of issuing trade permission to companies and license for conducting each single business case. Also, brief history of legislation is presented, together with description of way for issuing license for Department of Interior and Department of Defence for obtaining hardware for their own use.

Last chapter of second part also proposes brief idea of how could Czech republic get more control of public procurement for armed forces by creation of state-owned company for procurement of defence equipment.

Third major part briefly describes possibilities of European Union member-states to set their priorities in their own self-defence abilities together with possibility of direct

procurement under article 346 of Treaty on the Functioning of the European Union. Last chapter of thesis then shows negative results of public procurement thru NSPA.